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Attorney for Plaintiff
PATRICIA CLAIRE BANKSTON

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

PATRICIA CLAIRE BANKSTON,

Plaintiff,

v.

PATENAUDE & FELIX, A
PROFESSIONAL CORPORATION, a
California corporation, and RAYMOND
ALCIDE PATENAUDE, individually and in
his official capacity,

Defendants.

Case No. C07-03396-JW-PVT

**DECLARATION OF PATRICIA
CLAIRE BANKSTON IN SUPPORT
OF MOTION FOR SUMMARY
JUDGMENT**

[Fed. R. Civ. P. 56]

Date: January 14, 2007
Time: 9:00 a.m.
Judge: Honorable James Ware
Courtroom: Courtroom 8, 4th Floor
Place: 280 South First Street
San Jose, California

I, Patricia Claire Bankston, declare under penalty of perjury, under the laws of the United States, 28 U.S.C. § 1746, that the following statements are true:

1. I am the Plaintiff in the above captioned case.
2. I have personal knowledge of the following facts, and if called as a witness, I could and would competently testify thereto.
3. I am a natural person residing in Santa Clara County, California. I have never owned a business.
4. On a date unknown to me, I opened a consumer credit card account issued by Capital One Bank. I used the Capital One Bank credit card account to purchase goods and services for personal, family or household use.

6. The June 4, 2007, collection letter was the first written notice that I received from PATENAUE & FELIX, A PROFESSIONAL CORPORATION, and RAYMOND ALCIDE PATENAUE in connection with collecting the debt owed to Capital One Bank.

7. A true and accurate copy of the June 4, 2007, collection letter is attached hereto, marked Exhibit "1," and by this reference is incorporated herein.

Executed at San Jose, California on December 7, 2007.

Patricia Claire Bankston
Patricia Claire Bankston